

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

SAMUEL ALDAZ MERAZ,

Petitioner,

vs.

JULIE ANNE FLORA a/k/a JULIE
ANNE CRIPE,

Respondent.

CV 23–93–M–DWM

ORDER

On August 23, 2023, Petitioner Samuel Aldaz Meraz filed a Verified Petition for the return of his child to Mexico under the Convention on the Civil Aspects of International Child Abduction (the “Convention” or “Hague Convention”) and the International Child Abduction Remedies Act, 22 U.S.C. §§ 9001, et seq. (Doc. 1.) Petitioner included a number of exhibits in support of his Verified Complaint, including Exhibits 5 and 7, which were conventionally filed on a USB drive and contain “native” WhatsApp Chat and Facebook

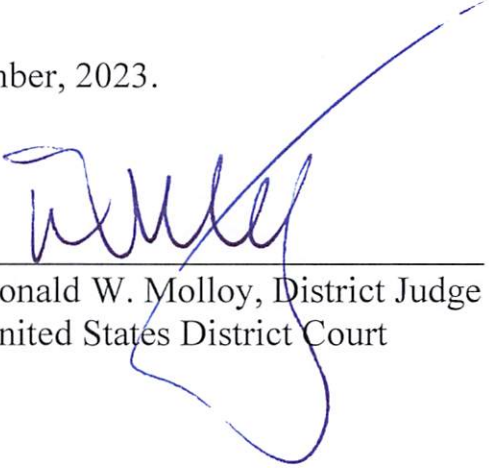
Messenger files.¹ A review of the USB drive provided shows that each exhibit contains hundreds, if not thousands, of unlabeled photographs, text files, videos, and gifs. The Local Rules of this Court require that electronic exhibits be “identified and . . . filed so as to allow the court, the parties, and the public to locate easily and refer unambiguously to a specific page of a specific exhibit” and “[o]nly exhibits that are directly germane to the matter under consideration by the court may be filed.” D. Mont. L.R. 7.2(a), (b). Exhibits 5 and 7 comply with neither admonition. While they may attempt to show the general nature, depth, or breadth of communication involved in the case, they are simply unusable in their current form. That is not to say that Petitioner may not use specific portions of these exhibits to support future filings. To the contrary, it would be very helpful for Petitioner to curate certain conversations, photographs, or videos to argue his point, even if part of that argument is that the limited media provided is merely representative of much more expansive communication. As currently filed, however, the exhibits are unacceptable.

Based on the foregoing, IT IS ORDERED that Exhibits 5 and 7 are STRICKEN. Petitioner has seven (7) days from the date of this Order to pick up his USB drive from the Clerk’s Office. If he fails to do so, it will be destroyed.

¹ Given the nature of the exhibits, leave was given for them to be filed under seal and the present order does not change that determination. (*See* Doc. 8.)

IT IS FURTHER ORDERED that if Petitioner would like to resubmit these two exhibits consistent with the Local Rules and this Order, he must do so on or before September 12, 2023.

DATED this 5th day of September, 2023.



Donald W. Molloy, District Judge
United States District Court